

HOUSE BILL 641

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By: **Delegates Nathan-Pulliam, Branch, Braveboy, Burns, Costa, Elliott, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Kipke, Krebs, Morhaim, Murphy, Oaks, B. Robinson, Tarrant, ~~and V. Turner~~ V. Turner, Lee, Pena-Melnyk, Kach, Reznik, A. Kelly, and Cullison**

Introduced and read first time: February 8, 2012

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2012

CHAPTER _____

1 AN ACT concerning

2 **Hepatitis B and Hepatitis C Viruses – Public Awareness, Treatment, and**
3 **Outreach**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene, as funds
5 are available, to conduct a certain needs assessment, initiate a certain
6 statewide public awareness campaign, solicit certain funding, and review and
7 recommend certain initiatives related to the hepatitis B virus; requiring the
8 Department, as funds are available, to coordinate with the Maryland Office of
9 Minority Health and Health Disparities to ~~activate~~ develop certain hepatitis B
10 virus and hepatitis C virus plans; requiring the Department, as funds are
11 available, to develop a certain plan and certain recommendations and to
12 collaborate with the Maryland Insurance Administration to make certain
13 recommendations regarding certain insurance coverage; requiring the Maryland
14 Health Care Commission to examine certain research findings and make a
15 certain report to the Governor and certain committees of the General Assembly
16 on or before a certain date; repealing the termination date for provisions of law
17 that require the Department to conduct certain outreach and public awareness
18 campaigns and make certain reports regarding the hepatitis C virus; and
19 generally relating to public awareness, treatment, and outreach relating to the
20 hepatitis B and hepatitis C viruses.

21 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Health – General
2 Section 18–1001
3 Annotated Code of Maryland
4 (2009 Replacement Volume and 2011 Supplement)

5 BY repealing and reenacting, without amendments,
6 Article – Health – General
7 Section 18–1002
8 Annotated Code of Maryland
9 (2009 Replacement Volume and 2011 Supplement)

10 BY repealing and reenacting, with amendments,
11 Chapter 457 of the Acts of the General Assembly of 2006, as amended by
12 Chapter 125 of the Acts of the General Assembly of 2009
13 Section 4

14 Preamble

15 WHEREAS, There are approximately 5,300,000 individuals with hepatitis B,
16 hepatitis C, or both living in the United States; and

17 WHEREAS, Hepatitis B and hepatitis C are viral infections that attack the
18 liver and can cause both acute and chronic disease; and

19 WHEREAS, One in 20 Americans has been infected with hepatitis B; and

20 WHEREAS, The Centers for Disease Control has recognized hepatitis B as the
21 deadliest vaccine–preventable disease; and

22 WHEREAS, Hepatitis C is three to four times more prevalent than human
23 immunodeficiency virus (HIV) and is much more infectious than HIV; and

24 WHEREAS, Hepatitis B and hepatitis C disproportionately affect minority
25 populations, including African Americans, Hispanics, American Indian/Native
26 Americans as well as Asian and Pacific Islanders; and

27 WHEREAS, The annual health care costs attributable to hepatitis B are
28 estimated to be approximately \$2,000 per infected individual and the annual health
29 care costs attributable to treating hepatitis C with protease inhibitors are
30 approximately \$30,000 per infected individual; and

31 WHEREAS, Direct antibodies treatment of hepatitis C, a newer treatment, is
32 associated with a 91% to 94% cure rate; and

33 WHEREAS, Hepatitis B and hepatitis C patients who progress to end–stage
34 liver disease may require treatments costing between \$30,980 and \$110,576 per

1 hospital admission, and hepatitis B and hepatitis C patients who are diagnosed too
2 late may require a liver transplant costing at least \$314,000; and

3 WHEREAS, The Centers for Disease Control has revised its vaccine
4 recommendations to include vaccination at birth, vaccination of all previously
5 unvaccinated children and adolescents, and vaccination of previously unvaccinated
6 adults at risk for hepatitis B infection in an effort to eliminate hepatitis B from the
7 United States; and

8 WHEREAS, There is no vaccination for hepatitis C; and

9 WHEREAS, According to the Institute of Medicine, hepatitis B and hepatitis C
10 infections cause substantial morbidity and mortality despite being preventable and
11 treatable; now, therefore,

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Health – General**

15 18–1001.

16 As funds are available, the Department shall:

17 (1) Conduct a needs assessment to determine the incidence of the
18 **HEPATITIS B VIRUS AND** hepatitis C virus in the State;

19 (2) Initiate a statewide public awareness campaign targeting
20 vulnerable populations and health care providers in the State to urge **HEPATITIS B**
21 **VIRUS AND** hepatitis C virus education and testing;

22 (3) Coordinate with other units of State government, including the
23 Department of Public Safety and Correctional Services and the Veterans'
24 Administration, to activate a hepatitis C virus plan for the education, testing, and
25 treatment of the populations within the jurisdiction of the units;

26 (4) Solicit funding from the private sector and units of federal, state,
27 and local government for **HEPATITIS B VIRUS AND** hepatitis C virus outreach;

28 (5) Provide funding for hepatitis C virus pilot programs, which may
29 include programs in methadone clinics or programs for the Department of Correctional
30 Services population;

31 (6) Review and recommend initiatives to promote advocacy, education,
32 physician outreach, and awareness of the **HEPATITIS B VIRUS AND** hepatitis C virus;

1 (7) Assess the feasibility of creating a Hepatitis C Virus
 2 Administration in the Department and examine methods to maximize existing
 3 resources to raise awareness of the hepatitis virus; [and]

4 (8) Implement the 2005 Report of the Hepatitis C Advisory Council;

5 (9) **COORDINATE WITH THE MARYLAND OFFICE OF MINORITY**
 6 **HEALTH AND HEALTH DISPARITIES TO DEVELOP ~~AND ACTIVATE~~ A HEPATITIS B**
 7 **VIRUS PLAN AND A HEPATITIS C VIRUS PLAN FOR THE EDUCATION, TESTING,**
 8 **AND TREATMENT OF HIGH RISK POPULATIONS AND ETHNIC AND RACIAL**
 9 **POPULATIONS WHO ARE AFFECTED DISPROPORTIONATELY BY THE HEPATITIS B**
 10 **AND HEPATITIS C VIRUSES, INCLUDING THE ASIAN POPULATION AND AFRICAN**
 11 **IMMIGRANTS;**

12 (10) **DEVELOP A PLAN TO INCREASE THE AVAILABILITY ~~AND~~**
 13 **~~PROVISION~~ OF HEPATITIS B VIRUS VACCINATIONS IN THE STATE, IN**
 14 **ACCORDANCE WITH RECOMMENDATIONS FROM THE CENTERS FOR DISEASE**
 15 **CONTROL;**

16 (11) **DEVELOP RECOMMENDATIONS TO IMPROVE THE AWARENESS**
 17 **AND THE AFFORDABILITY OF MEDICATIONS FOR TREATING THE HEPATITIS C**
 18 **VIRUS; AND**

19 (12) **COLLABORATE WITH THE MARYLAND INSURANCE**
 20 **ADMINISTRATION TO MAKE RECOMMENDATIONS REGARDING INSURANCE**
 21 **COVERAGE FOR ~~COMPLICATIONS ASSOCIATED WITH MEDICATIONS USED FOR~~**
 22 **THE TREATMENT OF THE HEPATITIS C VIRUS.**

23 18-1002.

24 On or before December 1, 2006, and annually thereafter, the Department shall
 25 report to the Governor and, in accordance with § 2-1246 of the State Government
 26 Article, to the Senate Education, Health, and Environmental Affairs Committee and
 27 the House Health and Government Operations Committee on the activities of the
 28 Department in implementing § 18-1001 of this subtitle.

29 **Chapter 457 of the Acts of 2006, as amended by Chapter 125 of the Acts of**
 30 **2009**

31 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
 32 July 1, 2006. [Section 2 of this Act shall remain effective for a period of 7 years and, at
 33 the end of June 30, 2013, with no further action required by the General Assembly,
 34 Section 2 of this Act shall be abrogated and of no further force and effect.]

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Health
2 Care Commission shall:

3 (1) examine existing research findings related to health disparities in
4 the effectiveness of medical treatment of African Americans with hepatitis C and
5 ~~make recommendations for~~ collect recommended protocols for treating African
6 Americans who have hepatitis C from experts in the field; and

7 (2) on or before December 1, 2012, report its findings ~~and~~
8 ~~recommendations~~ to the Governor and, in accordance with § 2-1246 of the State
9 Government Article, to the Senate Education, Health, and Environmental Affairs
10 Committee and the House Health and Government Operations Committee.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.